

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Customer No: 000027777

Confirmation No. 4619

**In re application of:** Messerly et al.

**Atty Dkt. Ref.:** END0797US

**Serial No.:** 10/659,416

**Group Art Unit:** 3767

**Filed:** September 10, 2003

**Examiner:** D. Hall

**Title: ULTRASONIC SURGICAL INSTRUMENT INCORPORATING FLUID  
MANAGEMENT**

I hereby certify that this correspondence is being transmitted via  
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November 15, 2010  
(Date of Transmission)

Linda F. Hansen  
(Name of applicant, assignee, filer, or Registered Representative)

/Linda F. Hansen/  
(Signature)

November 15, 2010  
(Date of Signature)

**Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450**

**Dear Sir:**

**RESPONSE D**

This Response D and a **Request for Continued Examination** is filed in response to the Office Action of May 25, 2010 (the "Office Action"). This Application remains pending based on the Notice of Appeal filed on August 24, 2010.

**Listing/Amendments to the Claims** begins on page 2 of this paper.

**Remarks/Discussion** begin on page 5 of this paper.